

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JENNIFER ADAMCZYK-
DRUMMOND,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 15-cv-13493

UNITED STATES DISTRICT COURT JUDGE
GERSHWIN A. DRAIN

UNITED STATES MAGISTRATE JUDGE
ELIZABETH A. STAFFORD

ORDER: (I) ACCEPTING AND ADOPTING REPORT AND RECOMMENDATION [17];
(II) DENYING DEFENDANT’S MOTION FOR SUMMARY JUDGMENT [16]; AND
(III) GRANTING IN PART AND DENYING IN PART PLAINTIFF’S MOTION FOR
SUMMARY JUDGMENT [15]

Jennifer Adamczyk-Drummond (Plaintiff) filed this action on October 6, 2015. Dkt. No. 1. Plaintiff sought judicial review of the Commissioner of Social Security’s (Defendant) denial of Social Security Disability Benefits. *Id.*, p. 2 (Pg. ID 2). Each party filed a Motion for Summary Judgment. Dkt. Nos. 15, 16. The matter was referred to Magistrate Judge Elizabeth Stafford.

On January 26, 2017, Magistrate Judge Stafford issued a Report and Recommendation which recommends that the Defendant’s Motion for Summary Judgment be denied. Dkt. No. 17. Additionally, Magistrate Judge Stafford recommends that the Court grant Plaintiff’s Motion for Summary Judgment to the

extent it seeks remand. Neither party filed an objection to Magistrate Judge Stafford's Report and Recommendation. The time for filing objections has expired. *See* 28 U.S.C. § 636(b)(1)(C). Upon review of the Magistrate Judge's Report and Recommendation, the Court concludes that the Magistrate Judge reached the correct conclusion.

Therefore, the Court hereby **ACCEPTS** and **ADOPTS** Magistrate Judge Stafford's January 26, 2017 Report and Recommendation [17] as this Court's findings of fact and conclusions of law. Defendant's Motion for Summary Judgment [16] is **HEREBY DENIED**. Plaintiff's Motion for Summary Judgment [15] is **GRANTED** to the extent it seeks remand.

This case is **HEREBY REMANDED** to the Administrative Law Judge (ALJ) for further proceedings consistent with Magistrate Judge Stafford's Report and Recommendation. The ALJ **MUST** re-evaluate her assessment with regard to Nurse Practitioner Hintz's opinion and Ms. Adamczyk-Drummond's credibility.

SO ORDERED.

Dated: February 22, 2017
Detroit, MI

/s/Gershwin A Drain
HON. GERSHWIN A. DRAIN
United States District Court Judge

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, February 22, 2017, by electronic and/or ordinary mail.

/s/Tanya Bankston
Case Manager, (313) 234-5213